

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Colusa)

THE PEOPLE,

Plaintiff and Respondent,

v.

WILLIAM ALEX URIBE,

Defendant and Appellant.

C090066

(Super. Ct. No. CR60540)

Appointed counsel for defendant, William Alex Uribe, has asked this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable errors favorable to defendant, we will affirm the judgment.

FACTUAL AND PROCEDURAL BACKGROUND

The amended information charged defendant with second degree robbery (Pen. Code, § 211; count I),¹ obstructing a police officer (§ 148, subd. (a)(1); count II), and possession of drug paraphernalia (Health & Saf. Code, § 11364, subd. (a)(1); count III). Defendant pleaded no contest to count one and the remaining counts were dismissed. The stipulated factual basis for the plea was the pre-plea probation report.

Defendant's request for probation was denied. He was sentenced to the midterm of three years in prison and awarded 96 days' custody credit plus 14 days' conduct credit for a total of 110 days. In light of *People v. Dueñas* (2019) 30 Cal.App.5th 1157, the court imposed and then stayed a \$300 restitution fine (§ 1202.4), and imposed and stayed a \$300 parole revocation restitution fine (§ 1202.45). The court declined imposition of any other fines, fees, or assessments and reserved jurisdiction to determine any restitution. Defendant timely appealed and did not request a certificate of probable cause.

DISCUSSION

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts and procedural history of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days from the date the opening brief was filed. More than 30 days have elapsed, and defendant has not filed a supplemental brief.

Having undertaken an examination of the entire record pursuant to *Wende*, we find the abstract of judgment fails to reflect the \$300 stayed restitution fine imposed by the trial court. We find no other errors that would result in a disposition more favorable to defendant.

¹ Further undesignated statutory references are to the Penal Code.

DISPOSITION

The trial court is directed to prepare an amended abstract of judgment reflecting the \$300 stayed restitution fine (§ 1202.4) imposed by the court and to forward that document to the California Department of Corrections and Rehabilitation. The judgment is affirmed.

/s/
RAYE, P. J.

We concur:

/s/
HULL, J.

/s/
MURRAY, J.